

MONDAY, APRIL 8, 1991

THIRTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Harold Hazelip, President, David Lipscomb University, Nashville, Tennessee.

Representative Beth Halteman led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Napier; to attend the National Board of the National Association of Conservation Districts meeting in Washington, D.C.

Representative Nuber; due to personal reasons.

Representative Whitson; out-of-town business.

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**RECESS MOTION**

Rep. Davis (Gibson) moved that the House stand in recess to allow former Congressman Ed Jones to approach the well, which motion prevailed.

**REMARKS**

Speaker Naifeh recognized Rep. Ray Davis and Congressman Ed Jones in the well for remarks.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

**CONSENT CALENDAR**

**\*House Bill No. 0439 -- Municipal Government --** Broadens statutory authority governing security of surplus funds investments by municipalities and utility districts. Amends TCA 6-56-106, 7-82-108.

On motion, House Bill No. 439 was made to conform with Senate Bill No. 761.

On motion, **Senate Bill No. 761**, on same subject, was substituted for House Bill No. 439.

**House Bill No. 0747 -- Motor Vehicles, Titling and Registration --** Authorizes free license plates for recipients of Navy Cross, Air Force Cross and Distinguished Service Cross. Amends TCA 55-4-236.

**\*House Bill No. 0633 -- County Officers --** Authorizes county legislative body to fill temporary vacancy when member is inducted into military. Amends TCA 8-48-205.

**House Bill No. 0194 -- Agriculture, Dept. of --** Mandates that commissioner allow retention of permit fees by certain county health departments. Amends TCA 53-8-205.

On motion, House Bill No. 194 was made to conform with Senate Bill No. 59.

On motion, **Senate Bill No. 59**, on same subject, was substituted for House Bill No. 194.

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**\*House Joint Resolution No. 0050** -- Memorials, Government Officials -- Urges department of education to create arts curriculum.

**\*House Joint Resolution No. 0109** -- Naming and Designating -- "Better Speech & Hearing Month" -- May 1991.

**\*House Bill No. 1211** -- Corporations -- Expands use of proceeds of bonds issued by health, educational and housing facility corporations. Amends TCA 48-3-310.

**House Bill No. 1168** -- Education, Higher -- Authorizes appointment of administrative judges and hearing officers. Amends TCA, Title 4, Ch. 5.

On motion, House Bill No. 1168 was made to conform with Senate Bill No. 916.

On motion, **Senate Bill No. 916**, on same subject, was substituted for House Bill No. 1168.

**House Bill No. 0665** -- Highway Signs -- American Museum of Science and Technology and Oak Ridge National Laboratory, Oak Ridge.

On motion, House Bill No. 665 was made to conform with Senate Bill No. 280.

On motion, **Senate Bill No. 280**, on same subject, was substituted for House Bill No. 665.

**House Bill No. 0775** -- Alcoholic Beverage Commission -- Expands enforcement authority. Amends TCA, Title 57, Ch. 1.

On motion, House Bill No. 775 was made to conform with Senate Bill No. 769.

On motion, **Senate Bill No. 769**, on same subject, was substituted for House Bill No. 775.

**\*House Bill No. 0280** -- Courts, General Sessions -- Increases jurisdiction and compensation of certain general sessions judges. Amends TCA 16-15-5004.

**\*House Resolution No. 0007** -- General Assembly, Review Or Ratification of Rules -- Appellate procedure.

**\*House Resolution No. 0008** -- General Assembly, Review Or Ratification of Rules -- Criminal procedure.

**\*House Resolution No. 0009** -- General Assembly, Review Or Ratification of Rules -- Evidence.

**\*House Resolution No. 0010** -- General Assembly, Review Or Ratification of Rules -- Civil procedure.

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**\*House Joint Resolution No. 0083** -- Memorials, Government Officials -- Urges Department of Transportation to provide interchange for Peytonsville on I-840.

**\*House Joint Resolution No. 0127** -- Highway Signs -- Designates certain portion of U. S. 79 as "Blue Star Memorial Highway".

**House Resolution No. 0040** -- Memorials, Sports -- Middleton High School cheerleaders.

**House Joint Resolution No. 0194** -- Memorials, Professional and Business Achievement -- Clara Peals.

**House Joint Resolution No. 0196** -- Memorials, Sports -- Madisonville High School boys' basketball team.

**House Joint Resolution No. 0197** -- Memorials, Recognition and Thanks -- City of Kingsport.

**House Joint Resolution No. 0199** -- Memorials, Retirement -- Major Luke Worsham.

**House Bill No. 1565** -- Madison County -- Repeals Jackson-Madison County ambulance authority. Repeals Chapter 39, Private acts of 1973, as amended.

On motion, House Bill No. 1565 was made to conform with Senate Bill No. 1559.

On motion, **Senate Bill No. 1559**, on same subject, was substituted for House Bill No. 1565.

**House Bill No. 1566** -- Jackson -- Increases compensation of members of civil service commission. Amends Chapter 407, Acts of 1909, as amended.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 280**; by Rep. Copeland.

**House Bill No. 633**; by Rep. Liles.

**House Bill No. 1211**; by Rep. Copeland.

Under the rules, House Bill(s) No(s). 280, 633 and 1211 was/were placed at the foot of the calendar for Wednesday, April 10, 1991.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed

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and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Rigsby -- 1.

A motion to reconsider was tabled.

**PRESENT IN CHAMBER**

Representative Fowlkes was recorded as being present in the Chamber.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Consent Calendar and have this statement entered in the Journal.

Rep. Joe Armstrong

**REGULAR CALENDAR**

**\*House Bill No. 0210 -- Real Property --** Establishes method for proving chain of title in certain circumstances. Amends TCA, Title 29, Ch. 15, Pt. 1.

Further consideration of House Bill No. 210, previously

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considered on March 25, 1991, at which time it was reset to the Calendar for April 8, 1991.

Rep. Davis (Cocke) moved that House Bill No. 210 be reset two weeks to the Calendar for Monday, April 22, 1991, which motion prevailed.

**\*House Bill No. 0575 -- Election Laws -- Prohibits certain at large elections from multi-member districts, wards or zones. Amends TCA, Title 2.**

Further consideration of House Bill No. 575, previously considered on March 27, 1991, at which time it was reset to the Calendar for April 8, 1991.

Rep. U. Jones moved that House Bill No. 575 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 575 by adding the following new section immediately preceding the severability clause and by renumbering the subsequent sections accordingly:

Section \_\_\_\_\_. The provisions of this act shall only apply in any county having a charter form of government and having a racial minority population in excess of forty percent (40%), according to the 1990 federal census or any subsequent federal census and shall also apply in any municipality located in such county.

On motion, Amendment No. 1 was adopted.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 575 by deleting from Section 1 the language "The provisions of this act shall apply to all elections held on or after January 1, 1993.".

On motion, Amendment No. 2 was adopted.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 3 as follows:

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**Amendment No. 3**

Amend House Bill No. 575 by deleting Section 2 in its entirety and by substituting instead the following language:

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

On motion, Amendment No. 3 was adopted.

Rep. R. Jones moved that House Bill No. 575 as amended, be passed on third and final consideration.

Rep. King moved that House Bill No. 575 be re-referred to the Calendar and Rules Committee, which motion he then withdrew.

Thereupon, Rep. R. Jones moved that House Bill No. 575, as amended, be reset to the Calendar for Thursday, April 11, 1991, which motion prevailed.

**\*House Bill No. 0341 -- Public Works Projects --** Increases minimum dollar amount of public works contracts from \$25,000 to \$100,000 above which contractors must post bond. Amends TCA 12-4-201.

Further consideration of House Bill No. 341, previously considered on April 1, 1991, at which time it was reset to the Calendar for April 8, 1991.

Rep. Dixon moved that House Bill No. 341 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**\*House Bill No. 0485 -- Education --** Increases number of model dropout prevention programs from ten to fifteen; raises grants from \$6,000 to \$10,000. Amends TCA, Title 49.

Further consideration of House Bill No. 485, previously considered on April 1, 1991, at which time the House adopted Amendment No. 1, made the motion to adopt Amendment No. 2, and reset the bill to the Calendar for April 8, 1991.

Rep. Dixon moved that House Bill No. 485, as amended, be reset to the Calendar for Wednesday, April 10, 1991, which motion prevailed.

**RESOLUTION RECALLED**

On motion of Rep. Dixon, Senate Joint Resolution No. 131 was recalled from the Transportation Committee and held on the Clerk's desk.

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BILL RETURN REQUESTED

Pursuant to Rule No. 54, Rep. Williams (Union) moved that the Clerk request the return of Senate Bill No. 1539 from the Senate, which motion prevailed.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 0402 -- Taxes, Sales --** Modifies manner in which certain personal property of motor vehicles used in interstate commerce taxed. Amends TCA 67-6-331.

Rep. Kisber moved that House Bill No. 402 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 402 by deleting the word "primarily" in Section 1 and by substituting instead the word "principally".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 402, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 402 and have this statement entered in the Journal.

Rep. Jere Hargrove

REGULAR CALENDAR, CONTINUED

\*House Bill No. 0376 -- Election Laws -- Requires registry to correct certain mathematical errors in timely filed reports. Amends TCA, Title 2, Ch. 10.

Rep. Love moved that House Bill No. 376 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

House Bill No. 1324 -- Taxes, Assessment -- Gives taxpayer right to hearing to show cause for failure to file appeal to board. Amends TCA, Title 67, Ch. 5, Pt. 14.

On motion, House Bill No. 1324 was made to conform with Senate Bill No. 575.

On motion, Senate Bill No. 575, on same subject, was substituted for House Bill No. 1324.

Rep. Cross moved that Senate Bill No. 575 be passed on third and final consideration.

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On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Cross moved that **Senate Bill No. 575** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	3
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Bragg, Liles, McKee -- 3.

Representatives present and not voting were: Fowlkes -- 1.

A motion to reconsider was tabled.

**House Bill No. 1205** -- Motor Vehicles -- Increases vehicle length limit from 48 to 50 feet on vehicles transporting seed cotton modules. Amends TCA, Title 55, Ch. 7.

Rep. Holt moved that House Bill No. 1205 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1205 by deleting from Section 1 the words and figures "fifty feet (50')\" and by substituting instead the words and figures "fifty-three feet (53')\".

AND FURTHER AMEND by adding the following as a new Section 2 and by redesignating the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Section 55-7-205, is amended by adding the following as a new subsection (b), and by redesignating the subsequent

subsections accordingly:

(b) The commissioner of transportation shall have the authority to grant special permits with a duration of one (1) year for the movement of a single motor vehicle, that does not exceed the length limitation set forth in §55-7-115 and the weight limitations set forth in §55-7-203(3), that has a width greater than one hundred two inches (102") but not exceeding one hundred eight inches (108"), and that is used exclusively to transport seed cotton modules. This special permit will allow such vehicles to travel upon the interstate system of highways and other federal-aid highways designated by the commissioner of transportation. The cost of such special annual permit shall be one hundred dollars (\$100.00). Solely during the harvest season for cotton, the movement of such vehicles operating under a special annual permit shall be unrestricted with respect to day of the week, time, or holiday observation. At other times, the movement of such vehicles shall be subject to the rules and regulations which the commissioner of transportation has prescribed pursuant to subsection (e) herein.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that **House Bill No. 1205**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Halteman, Odom, Shirley, Stamps, Wood -- 5.

A motion to reconsider was tabled.

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**\*House Bill No. 0103 -- Motor Vehicles -- Reduces penalty for unlawfully removing registration decal. Amends TCA, Title 55.**

Rep. Odom moved that House Bill No. 103 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 103 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 55-9-402(d)(1), is amended by deleting the word "ambulances" and by substituting instead the words "ambulances, emergency vehicles used in firefighting which are owned or operated by the department of conservation, division of forestry,".

Section 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Odom moved that **House Bill No. 103**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

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**House Bill No. 0905** -- Adoption -- Requires investigation when proposed parents are indigent. Amends TCA, Title 36, Ch. 1.

On motion, House Bill No. 905 was made to conform with Senate Bill No. 507.

On motion, **Senate Bill No. 507**, on same subject, was substituted for House Bill No. 905.

Rep. Odom moved that **Senate Bill No. 507** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odum, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 1006** -- Hazardous Materials -- Defines "owner or operator" for hazardous substance sites as excluding state or local governments or state or local entities that acquire title in its function as a sovereign. Amends TCA 68-46-202.

On motion, House Bill No. 1006 was made to conform with Senate Bill No. 1312.

On motion, **Senate Bill No. 1312**, on same subject, was substituted for House Bill No. 1006.

Rep. Hubbard moved that **Senate Bill No. 1312** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

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Rep. Hubbard moved that **Senate Bill No. 1312** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	1
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tuillos, Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Stamps -- 1.

Representatives present and not voting were: Bittle -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 1208** -- Liens -- Specifies that liens obtained due to theft of utility services is second to tax liens and all other security interests properly filed and that such lien notices be filed in county which offense committed. Amends TCA, Title 65, Ch. 35.

On motion, House Bill No. 1208 was made to conform with Senate Bill No. 1372.

On motion, **Senate Bill No. 1372**, on same subject, was substituted for House Bill No. 1208.

Rep. Williams (Shelby) moved that **Senate Bill No. 1372** be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend Senate Bill No. 1372 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section \_\_\_\_\_. Tennessee Code Annotated, Section 65-35-104, is amended by deleting subdivision (e)(4) in its entirety and by substituting the following:

(4) If a utility has not registered the notice as provided in subdivision (3), such lien shall not be effective against a bona fide purchaser for value without actual or constructive knowledge of the fraudulently diverted utility service.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Williams (Shelby) moved that **Senate Bill No. 1372**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 0891** -- Corporations -- Enacts "Tennessee Professional Corporation Act". Amends TCA, Title 48, Ch. 3, Pt. 4.

Rep. Williams (Shelby) moved that House Bill No. 891 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 891 by deleting from Section 1 the language designated as Section 48-3-427 and by substituting instead the following:

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Section 48-3-427. The application of a foreign professional corporation for a certificate of authority to render professional services in this state shall contain the information required in §48-25-103, state its purpose to render a specified professional service, and include a statement that all of its shareholders, not less than one-half (1/2) of its directors, and all of its officers other than its secretary and any assistant secretary and treasurer (if any) and any assistant treasurer, are qualified persons with respect to the corporation.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 891 by deleting from Section 1 the language designated as Section 48-3-431 in its entirety and by renumbering the subsequent sections accordingly.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Williams (Shelby) moved that **House Bill No. 891**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 0391 -- School Transportation -- Enacts "Handicapped Children Transportation Act of 1991".**

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Rep. Chumney moved that House Bill No. 391 be passed on third and final consideration.

Rep. Chumney moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 391 by inserting the words "central bus depot or" between the words "the" and "bus" in Section 2.

AND FURTHER AMEND Section 2 by adding the following language at the end of the section:

Bus drivers that do not return to a central depot, including drivers, shall have as a part of their employment contract a provision stipulating that all buses will be checked at the end of every run to make sure that no person remains on the bus. The contracting party shall be responsible for supplying the name, address, and phone number of the checker to the local board of education.

AND FURTHER AMEND Section 3 by deleting the words "state board of education" in the first sentence and by substituting instead the words "local education agency".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Chumney moved that **House Bill No. 391**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	2
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Harrill, Niceley -- 2.

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Representatives present and not voting were: McKee, Winningham  
-- 2.

A motion to reconsider was tabled.

**House Bill No. 0451** -- Custody and Support -- Provides for collection of additional expenses in legitimacy cases. Amends TCA, Title 36, Ch. 2.

On motion, House Bill No. 451 was made to conform with Senate Bill No. 226.

On motion, **Senate Bill No. 226**, on same subject, was substituted for House Bill No. 451.

Rep. Chumney moved that **Senate Bill No. 226** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend Senate Bill No. 226 by deleting from the amendatory language of Section 1 the word "shall" and by substituting instead the word "may".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Chumney moved that **Senate Bill No. 226**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

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Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

**House Bill No. 0845 -- Wills --** Grants jurisdiction to probate courts to try will contests, determine validity of and construe wills. Amends TCA, Title 16, Ch. 10; Title 32, Chs. 3, 4.

On motion, House Bill No. 845 was made to conform with Senate Bill No. 138.

On motion, **Senate Bill No. 138**, on same subject, was substituted for House Bill No. 845.

Rep. Chumney moved that **Senate Bill No. 138** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Rigsby -- 1.

A motion to reconsider was tabled.

**House Bill No. 1182 -- Right to Die --** Revises Living Will for those persons utilizing such document for organ or tissue donations. Amends TCA, Title 32, Ch. 11, Pt. 1.

Further consideration of House Bill No. 1182, previously considered on April 4, 1991, at which time it was reset to the Calendar for April 8, 1991.

Rep. Herron moved that House Bill No. 1182 be passed on third and final consideration.

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Rep. Herron moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1182 by deleting Sections 1, 2, and 3 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 32-11-103, is amended by inserting the following as new, appropriately designated items:

( ) "Organ donation" means a procedure to recover vascular organs following a declaration of death pursuant to Tennessee Code Annotated, Section 68-3-501(b)(2), but prior to removal from artificial support systems;

( ) "Tissue donation" means a procedure to recover tissue following a declaration of death pursuant to Tennessee Code Annotated, Section 68-3-501(b)(1), and following removal from artificial support systems.

SECTION 2. Tennessee Code Annotated, Section 32-11-102(a), is amended by adding the following language at the end of the subsection:

The general assembly further declares that it is in the public interest to facilitate recovery of organs and/or tissues for transplantation and to provide mechanisms for individuals to express their desire to donate their organs and/or tissues.

SECTION 3. Tennessee Code Annotated, Section 32-11-105, is amended by deleting the language of the section in its entirety and by substituting instead the following:

The declaration may be substantially in the following form, but not to the exclusion of other written and clear expressions of intent to accept, refuse, or withdraw medical care.

**LIVING WILL**

I, \_\_\_\_\_, willfully and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstances set forth below, and do hereby declare:

If at any time I should have a terminal condition and my attending physician has determined that there can be no recovery from such condition and my death is imminent, where the application of life-prolonging

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procedures would serve only to artificially prolong the dying process, I direct that such procedures be withheld or withdrawn, and that I be permitted to die naturally with only the administration of medications or the performance of any medical procedure deemed necessary to provide me with comfortable care or to alleviate pain.

ARTIFICIALLY PROVIDED NOURISHMENT AND FLUIDS: By checking the appropriate line below I specifically:

\_\_\_ authorize the withholding of artificially provided food, water, or other nourishment or fluids.

\_\_\_ DO NOT authorize the withholding of artificially provided food, water, or other nourishment or fluids.

ORGAN DONOR CERTIFICATION: Notwithstanding my previous declaration relative to the withholding or withdrawal of life-prolonging procedures, if as indicated below I have expressed my desire to donate my organs and/or tissues for transplantation, or any of them as specifically designated herein, I do direct my attending physician, if I have been determined dead according to Tennessee Code Annotated, Section 68-3-501(b), to maintain me on artificial support systems only for the period of time required to maintain the viability of and to remove such organs and/or tissues. By checking the appropriate line below I specifically:

\_\_\_ desire to donate my organs and/or tissues for transplantation.

\_\_\_ desire to donate my \_\_\_\_\_.  
(insert specific organs and/or tissues for transplantation.)

\_\_\_ DO NOT desire to donate my organs or tissues for transplantation.

In the absence of my ability to give directions regarding the use of such life-prolonging procedures, it is my intention that this declaration shall be honored by my family and physician as the final expression of my legal right to refuse medical or surgical treatment and accept the consequences of such refusal.

I understand the full import of these declarations, and I am emotionally and mentally competent to make these declarations. In acknowledgment whereof, I do hereinafter affix my signature on this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Declarant

\_\_\_\_\_  
Declarant

We, the subscribing witnesses hereto, are personally acquainted with and subscribe our names hereto at the request of the declarant, an adult, whom we believe to be of sound mind, fully aware of the action taken herein and its possible consequence.

We, the undersigned witnesses, further declare that we are not related to the declarant by blood or marriage; that we are not entitled to any portion of the estate of the declarant upon his decease under any will or codicil thereto presently existing or by operation of law then existing; that we are not the attending physician, an employee of the attending physician or a health facility in which the declarant is a patient; and that we are not a person who, at the present time, has a claim against any portion of the estate of the declarant upon his death.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

Subscribed, sworn to and acknowledged before me by \_\_\_\_\_, the declarant, and subscribed and sworn to before me by \_\_\_\_\_ and \_\_\_\_\_, witnesses, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

On motion, Amendment No. 1 was adopted, with Turner (Hamilton) requesting to be recorded as voting no.

Thereupon, Rep. Herron moved that **House Bill No. 1182**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	79
Noes. . . . .	10
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Odom, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Callicott, Davidson, Haley, Head, Kent, McAfee, Peroulas Draper, Rhinehart, Tullos, Turner (Hamilton) -- 10.

Representatives present and not voting were: Bittle, Jones U (Shelby), Robinson (Hamilton) -- 3.

A motion to reconsider was tabled.

**\*Senate Bill No. 0268** -- Education -- Revises school attendance laws if a person owns real property located in more than one county. Amends TCA, Title 49, Ch. 6.

Further consideration of Senate Bill No. 268, previously considered on April 4, 1991, at which time House Bill No. 270 was substituted for Senate Bill No. 268, Amendments Nos. 2, 3, 4, 5, 6, 7 and 8 were adopted; the motion was made to adopt Amendment No. 9 and the bill was reset to the Calendar for April 8, 1991.

Rep. Wix renewed the motion for adoption of Amendment No. 9, previously filed, which motion prevailed.

Rep. Collier moved to amend as follows:

**Amendment No. 10**

Amend Senate Bill No. 268 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 31, is amended by adding the following language as a new, appropriately designated section:

(a) If county boundary lines divide a parcel of non-farm, residential property and if the portion of such parcel located in the county of nonresidence has an assessed value of ten thousand dollars (\$10,000) or more as determined by the assessor of property for such county, then children of the family or families residing on such parcel of property shall be eligible

to attend the local education agency for the portion of such parcel located in the county of nonresidence and shall not be subject to payment of any tuition which may otherwise be charged to nonresident students.

(b)

(1) Attendance, under the authority of subsection (a), by children in a local education agency other than that in which they reside shall not require the local education agency to provide transportation outside of its boundaries.

(2) The provisions of this section shall not be construed to require abrogation of any local policy, regulation, or agreement concerning methods and/or procedures for payment and/or collection of real property taxes.

(3) The provisions of this section shall not be construed to require abrogation of any local policy, regulation, or agreement whereby nonresident students are allowed to attend a local education agency without payment of tuition.

(4) Except to the extent specifically required by subsection (a), the provisions of this section shall not be construed to require abrogation of any local policy, regulation, or agreement whereby tuition is assessed and collected for nonresident students.

(5) The provisions of this section shall not be construed to supersede any local policy, regulation, or agreement concerning school attendance zones or districts; and a nonresident child attending a local education agency, under the authority of subsection (a), shall attend the school for the zone or district which includes the portion of the parcel lying in the county of nonresidence.

(6) The provisions of this section shall not be construed to require any student to attend a local education agency within a county of nonresidence.

SECTION 2. This act shall take effect on July 1, 1991, the public welfare requiring it, and shall be implemented beginning with the 1991-1992 school year.

Rep. Collier moved that Senate Bill No. 268 be reset to the Calendar for Monday, April 15, 1991, which motion prevailed.

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**House Bill No. 1266** -- Workers' Compensation -- Expands list of physicians to include those in state provider network. Amends TCA, Title 50, Ch. 6.

Pursuant to **Rule No. 13**, on motion of Rep. West, the following was set as a special order for Thursday, April 25, 1991: House Bill No. 1266.

**SPECIAL CONSENT CALENDAR**

Rep. Purcell moved that the rules be suspended for the immediate introduction and consideration of the above House Joint Resolutions and further that the rules be suspended for the immediate consideration of the above Senate Joint Resolutions, which motion prevailed.

**House Joint Resolution No. 0195** -- Naming and Designating -- Camp Horizon Week, April 15-19, 1991. by \*Hargrove.

**House Joint Resolution No. 0200** -- Memorials, Public Service -- James Sterling Ruffin, Jr. by \*Naifeh.

**House Joint Resolution No. 0201** -- Memorials, Personal Achievement -- Keno Lyn Worthy, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0202** -- Memorials, Personal Achievement -- D. Michael Walker, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0203** -- Memorials, Personal Achievement -- Vadrian Cooper, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0204** -- Memorials, Personal Achievement -- Jason E. Miles, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0205** -- Memorials, Personal Achievement -- Errol M. Thomas, Jr., Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0206** -- Memorials, Personal Achievement -- Percy Israel Lee, Jr., Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0207** -- Memorials, Personal Achievement -- Eric Odell Harris, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0208** -- Memorials, Personal Achievement -- Charles Franklin Gray, Jr., Beautillion Militaire inductee. by \*Jones R.

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**House Joint Resolution No. 0209** -- Memorials, Personal Achievement -- Antonio Lyndale Johnson, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0210** -- Memorials, Personal Achievement -- Lance Harrison, Jr., Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0211** -- Memorials, Personal Achievement -- Truman J. Hull, Jr., Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0212** -- Memorials, Personal Achievement -- Darrell Thomas Cobbins, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0213** -- Memorials, Personal Achievement -- M. Andre Swauncy, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0214** -- Memorials, Personal Achievement -- Sidney L. Brown, III, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0215** -- Memorials, Personal Achievement -- Samuel Carlton Polk, III, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0216** -- Memorials, Personal Achievement -- Jeffery Williams, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0217** -- Memorials, Personal Achievement -- Paul B. Toney, Jr., Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0218** -- Memorials, Personal Achievement -- Martin Leon Truitt, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0219** -- Memorials, Personal Achievement -- Trevor Busby, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0220** -- Memorials, Personal Achievement -- Lavaughn Bridges, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0221** -- Memorials, Personal Achievement -- Trey Anthony Albright, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0222** -- Memorials, Personal Achievement -- Michael Kevin Graham, Beautillion Militaire inductee. by \*Jones R.

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**House Joint Resolution No. 0223** -- Memorials, Personal Achievement -- Brian Keith Coleman, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0224** -- Memorials, Personal Achievement -- Erik Alexander Watson, Beautillion Militaire inductee. by \*Jones R.

**House Joint Resolution No. 0225** -- Memorials, Death -- Danny Thomas. by \*Naifeh, \*Ridgeway.

**House Joint Resolution No. 0227** -- Memorials, Personal Achievement -- Napoleon Rutledge. by \*Turner B.

**Senate Joint Resolution No. 0161** -- Memorials, Death -- George W. Grider.

**Senate Joint Resolution No. 0163** -- Memorials, Public Service -- Bobby Jones, Mayor of Goodlettsville.

**Senate Joint Resolution No. 0165** -- Memorials, Public Service -- Meharry Association of Office Personnel.

**Senate Joint Resolution No. 0166** -- Memorials, Professional and Business Achievement -- Dr. Gordon E. Hunter, Tennessee Professor of the Year.

**Senate Joint Resolution No. 0173** -- Memorials, Sports -- East Tennessee State University men's basketball team.

**Senate Joint Resolution No. 0174** -- Memorials, Public Service -- Dr. Alexander B. Morrison, The Church of Jesus Christ of Latter Day Saints.

**Senate Joint Resolution No. 0176** -- Memorials, Sports -- Kingsbury High school boys' basketball team, Class AA state champions.

**Senate Joint Resolution No. 0177** -- Memorials, Recognition and Thanks -- Yom Hashoah memorial service, Capitol grounds, April 9, 1991.

Pursuant to **Rule No. 50**, Rep. Purcell moved that the House Joint Resolutions be adopted and the Senate Joint Resolutions concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),

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DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*Senate Bill No. 0278** -- Sewage -- Revises dates for certain types of subsurface sewage disposal system permits. Amends TCA, Title 68, Ch. 13, Pt. 4.

Rep. Cross moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 278**, which motion prevailed.

**\*House Bill No. 1256** -- Health -- Establishes Tennessee Governor's Council on Physical Fitness and Health.

**Senate Amendment No. 1**

Amend House Bill No. 1256 by adding the following as new Section 2 and by renumbering the existing Section 2 accordingly:

SECTION 2. Tennessee Code Annotated, Section 68-13-403(d)(4), is amended by deleting the period at the end of the subdivision and by substituting instead the following language and punctuation:

, or to subdivisions approved by the commissioner prior to July 1, 1990.

**Senate Amendment No. 2**

Amend House Bill No. 1256 by adding the following as a new section to immediately precede the severability clause section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 4-29-213(a), is amended by adding a new item thereto, as follows:

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( ) Tennessee governor's council on physical fitness and health, created by Section 1 of this act;

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1256**, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

#### **UNFINISHED BUSINESS**

#### **NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, April 10, 1991:

**House Bill No. 1276:** Rep. Rhinehart.

#### **RULES SUSPENDED**

Rep. Phillips moved to suspend **Rule No. 49** (the 48-hour rule), so that Calendar and Rules may place additional bills on Thursday's floor calendar.

#### **RULES SUSPENDED**

Rep. Phillips moved to suspend **Rule No. 71** (amendment distribution rule) so that all amendments for Thursday's Calendar,

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placed on the member's desks on Thursday, will be considered timely placed.

**RULES SUSPENDED**

Rep. Dixon moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 131 out of order, which motion prevailed.

**\*Senate Joint Resolution No. 0131 -- Highway Signs --** Rev. James L. Netters, portion of Third Street in Memphis.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Dixon, with the request that all members voting aye be added as sponsors, the resolution was concurred in by the following vote:

Ayes. . . . .	85
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Liles, Love, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Haley -- 1.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 345:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 575:** Rep(s). Dixon as prime sponsor(s).

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**House Bill No. 891:** Rep(s). Sipes as prime sponsor(s).

**House Bill No. 1030:** Rep(s). Duer as prime sponsor(s).

**House Bill No. 1111:** Rep(s). Bell and Buck as prime sponsor(s).

**House Bill No. 1190:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1191:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1198:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1318:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1356:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1442:** Rep(s). Fowkles as prime sponsor(s).

**House Joint Resolution No. 1:** Rep(s). Callicott, Holcomb, Hubbard and Williams (Union) as prime sponsor(s).

**House Joint Resolution No. 14:** Rep(s). Kernell as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep. Love was removed as sponsor of **House Bill No. 341**.

On motion, Rep. Sipes was removed as sponsor of **House Bill No. 581**, and Rep. McDaniel was made THE prime sponsor.

**REQUESTS TO BE ADDED AS SPONSORS**

The following members requested to add their names as sponsors as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage of said bill.

**House Bill No. 1123:** Rep(s). Turner (Hamilton) and Meyer.

**INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**House Resolution No. 0041 --** Memorials, Professional and Business Achievement -- Miles Howard and Songmasters. by \*Bivens.

Referred by the Speaker to the Calendar and Rules Committee.

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**House Resolution No. 0042** -- Memorials, Personal Occasion -- Martha Bell Bradley, 105th birthday. by \*Windle.

Referred by the Speaker to the Calendar and Rules Committee.

**House Resolution No. 0043** -- Memorials, Personal Occasion -- Martha Lane, 90th birthday. by \*Windle.

Referred by the Speaker to the Calendar and Rules Committee.

**House Resolution No. 0044** -- Memorials, Sports -- Clarkrange High School Lady Buffaloes. by \*Windle.

Referred by the Speaker to the Calendar and Rules Committee.

**House Resolution No. 0045** -- Memorials, Heroism -- Morgan County troops. by \*Windle.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0228** -- Memorials, Sports -- Madisonville High School cheerleaders. by \*Harrill.

Referred by the Speaker to the Calendar and Rules Committee.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1571** -- Athens -- Revises charter. Amends Chapter 455, Private Acts of 1953, as amended. by \*McKee.

Passed first consideration.

**House Bill No. 1572** -- Madisonville -- Changes dates of regular meetings of board of mayor and aldermen. Amends Chapter 663, Private Acts of 1911, as amended. by \*Harrill.

Passed first consideration.

**House Bill No. 1573** -- Blount County -- Extends termination date of Technology Corridor Development Authority. Amends Chapter 180, Private Acts of 1986, as amended. by \*Anderson, \*Huskey.

Passed first consideration.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

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**Senate Bill No. 0366** -- Budget Procedures -- Provides mechanism for amending county budget. Amends TCA, Title 5, Chs. 9, 12, 21. (\*HB 0281).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0698** -- Railroads -- Increases supervision fees charged for inspection. Amends TCA 65-3-201. (HB 1268).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0773** -- Trusts -- Authorizes trustee to take appropriate action to preclude or minimize imposition of generation-skipping tax; applies to certain trusts. Amends TCA, Title 35, Ch. 50. (HB 1425).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0899** -- Contractors -- Authorizes board for licensing contractors to issue citations to persons contracting without license. Amends TCA, Title 62, Ch. 6. .

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0937** -- Unclaimed Property -- Requires holder of unclaimed property to give actual or constructive notice of charges or deductions and to file report; revises penalty. Amends TCA, Title 66, Ch. 29, Pt. 1. (HB 1092).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1107** -- Taxes, Sales -- Exempts certain items. Amends TCA, Title 67, Ch. 6, Pt. 3. (HB 0882).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1141** -- Business and Commerce -- Provides for contract set-asides for disadvantaged businesses. Amends TCA, Title 49, Ch. 3, Pt. 7. Repeals TCA 49-8-114. (\*HB 0572).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1423** -- Pensions and Retirement Benefits -- Expands certain policemen's right to employment without loss of benefits. Amends TCA, Title 8, Ch. 36. (HB 1327).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1459** -- Accountants -- Increases requirements for certification as certified public accountant. Amends TCA, Title 62, Ch. 1, Pt. 1. (HB 1296).

Held pending third consideration of companion House Bill.

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**Senate Bill No. 1481** -- Taxes, Real Property -- Permits informal dispositions in certain property tax appeals. Amends TCA 67-5-1505. (\*HB 1461).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1537** -- Hamilton County -- Authorizes the names on jurors list be determined from the voter registration lists. Amends Chapter 564, Private Acts of 1931, as amended. (HB 1540).

Held pending third consideration of companion House Bill.

#### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 1568** -- Bedford County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 1569** -- Hardeman County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 1570** -- Celina -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

#### **LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES April 8, 1991**

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1568 and 1569.

#### **REPORT OF COMMITTEE ON CALENDAR AND RULES CONSENT CALENDAR April 8, 1991**

**MR. SPEAKER:** The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Wednesday, April 10, 1991**: House Resolution(s) No(s). 41, 42, 43, 44 and 45; House Joint Resolution(s) No(s). 228; also, House Bill(s) No(s). 1568 and 1569.

PHILLIPS, Chair.

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**MESSAGE FROM THE GOVERNOR  
April 1, 1991**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 263, 284, 372, 409, 548, 622, 760, 779, 833, 1532, 1533, 1538 and 1543; also, House Joint Resolution(s) No(s). 98, 137, 139, 141, 142, 143, 147, 150, 151, 152, 153, 154, 155, 156, 165 and 169; with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**SIGNED  
April 8, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 61, 117, 230, 351, 488, 516, 574, 586, 914 and 1386; also, Senate Joint Resolution(s) No(s). 147, 148 and 149.

**ENGROSSED BILLS  
April 8, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 747; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS  
April 8, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 376, 402, 1205 and 1566; also, House Joint Resolution(s) No(s). 50, 83, 109, 127, 194, 196, 197 and 199; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS  
April 8, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 227; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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**MESSAGE FROM THE SENATE**

**April 8, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 148, 180, 181, 182, 183 and 184; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 8, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 6, 838, 1394, 1539 and 1547; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 8, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 227; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 8, 1991**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1539, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS**

**April 8, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 103; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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ENGROSSED BILLS

April 8, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 391, 891 and 1182; also, House Joint Resolution(s) No(s). 195, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224 and 225; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, April 10, 1991.